

REMARKS

Claims 1-22 stand rejected in the Office Action. Claims 14-22 have been withdrawn without prejudice subject to a restriction requirement by the Examiner. Applicant reserves the right to file a continuation or divisional directed to the withdrawn claims. Applicant elects to prosecute claims 1-12 with traverse. Claim 13 has been cancelled. As such, claims 1-12 (1 independent claim; 12 total claims) remain pending in the application. Applicant respectfully requests reconsideration.

Objections to the Drawings

The drawings have been objected to under 37 CFR 1.83(a) for not showing every feature of the invention specified in the claims. Specifically, the Examiner stated that the rip-cord feature and the fan feature of claims 12 and 13 respectively must be shown in the drawing of the features cancelled from the claims. Claim 13 has been cancelled.

Corrected drawing sheets are attached showing the following changes:

The rip-cord feature 440a, 440b has been added to FIG. 10 and is labeled as such. The protrusion 441 has also been added. Reference numeral 440 has been omitted.

Claim Rejections

35 U.S.C. § 112

Claims 1-13 have been rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which the applicant regards as the invention. Specifically, Examiner stated that it is unclear what structure meets the recited limitations of “electrical receptacle” and “electrical outlet.” Claim 1 has been amended to only include the term “electrical receptacle.” As shown in Figure 1, and as stated in the specification device 100 is configured to attach to an electrical receptacle 160. Accordingly, Applicant requests that Examiner withdraw his rejection of claim 1 under § 112.

The Examiner further stated that it is unclear what structure or element includes “an outwardly extending structure” as recited in claim 2. Applicant submits that outlet structure 230

is the outwardly extending structure as recited by claim 2. Accordingly, Applicant requests that Examiner withdraw his rejection of claim 2 under § 112.

Thus, as claims 3-12 depend from allowable claim 1, Applicant respectfully requests withdrawal of the rejections of claims 3-12 under § 112 as well.

35 U.S.C. § 102

Claims 1, 2, 7, 8 and 13 have been rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 6,853,801 to Wefler, (“Wefler”).

Claim 1 has been amended to include the limitation of “said first device outlet and said second device outlet defining an outlet pattern having at least one lateral support surface and at least one horizontal support surface... and a refill configured to removably attach to the vapor-dispensing device, said refill body configured to be received on said at least one lateral support surface and said at least one horizontal support surface of said outlet pattern.” Emphasis added. Specifically, as seen in FIG. 4A, the outlet structure 230 contains at least one lateral support surface (side) and at least one horizontal support surface (top/bottom).

Wefler does not include this limitation. Wefler contains a plate 16 with a centrally located aperture that receives the air freshener 17. However, Wefler does not contain an outlet portion having at least one lateral support surface and at least one horizontal support surface. Still further, the refill portion/air freshener 17 isn’t configured to be received on the at least one lateral support surface and the at least one horizontal support surface of the outlet pattern. As such, Wefler does not include all of the limitations of claim 1.

Accordingly, Applicant submits that Wefler does not teach each and every element of claim 1. As the Examiner is well aware, a claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference. Accordingly, Applicant respectfully requests that the § 102(b) rejection of claim 6 be withdrawn.

Additionally, Applicant asserts that claims 2, 7, and 8 are patentable as being dependent from an allowable base claim. Thus, Applicant respectfully requests the withdrawal of the rejection of claims 2, 7, and 8 under § 102(e), as well.

35 U.S.C. § 103(a)

Claims 3-5 and 6 stand rejected under 35 U.S.C. 103(a) as being obvious over Wefler in view of U.S. Pat. No. 5,945,094 to Martin et al (“Martin”). Applicant respectfully disagrees with Examiner and traverses this rejection. As stated above, claim 1 is allowable over Wefler. Specifically, Wefler does not disclose does not contain an outlet portion having at least one lateral support surface and at least one horizontal support surface or a refill portion configured to be received on the at least one lateral support surface and the at least one horizontal support surface of the outlet pattern. Claims 3-5 and 6 depend from allowable claim 1. Thus, even when Wefler and Martin are combined, the combination does not disclose all the elements recited in claims 3-5 and 6. Thus, Applicant respectfully requests the withdrawal of the rejection of claims 3-5 and 6 under § 103(a), as well.

Claims 10-12 stand rejected under 35 U.S.C. 103(a) as being obvious over Wefler in view of Martin and further in view of U.S. Pat. No. 4,413,779 to Santini, (“Santini”) or U.S. Pat. No. 6,667,006 to Richards, (“Richards”). Applicant respectfully disagrees with Examiner and traverses this rejection. As stated above, claim 1 is allowable over Wefler. Specifically, Wefler does not disclose does not contain an outlet portion having at least one lateral support surface and at least one horizontal support surface or a refill portion configured to be received on the at least one lateral support surface and the at least one horizontal support surface of the outlet pattern. Claims 10-12 depend from allowable claim 1. Thus, even when Wefler and Martin and Santini or Richards are combined, the combination does not disclose all the elements recited in claims 10-12. Thus, Applicant respectfully requests the withdrawal of the rejection of claims 10-12 under § 103(a), as well.

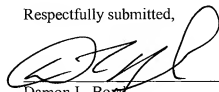
Claim 9 was not discussed by the Examiner. As such, with the removal of the 112 rejection, Applicant submits that claim 9 is in condition for allowance as being dependent from allowable claim 1.

CONCLUSION

In view of the foregoing, it is believed that all the claims now pending are in condition for allowance. A Notice of Allowance is earnestly solicited at the earliest possible date. If the Patent office believes that a telephone conference would be useful in moving the application forward to allowance, the Patent office is encouraged to contact the undersigned. If necessary, the Commissioner is hereby authorized to charge payment or credit any overpayment to Deposit Account No. 19-2814 for any additional fees required under 37 C.F.R. §§1.16 or 1.17, particularly extension of time fees.

Respectfully submitted,

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